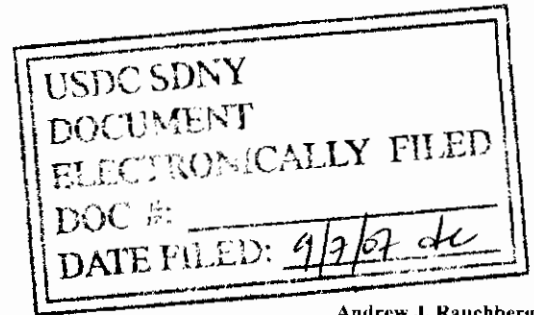




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

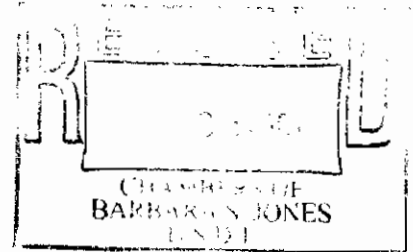


Andrew J. Rauchberg
phone: 212-788-0889
fax: 212-788-0940
email: araubhbc@law.nyc.gov

September 5, 2007

BY HAND

Hon. Barbara S. Jones
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 620
New York, New York 10007



Re: R.C. and V.H. o/b/o D.C. v. NYC Department of Education, 07-CV-6516 (BSJ)

Dear Judge Jones,

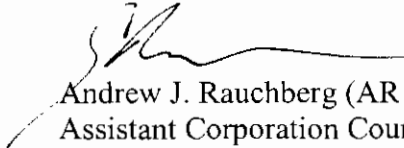
I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, attorneys for the Department of Education in the case referenced above, in which the parents of a minor student seek attorneys' fees after a state administrative proceeding held pursuant the Individuals with Disabilities Education Act.

I write to request that defendant's time to respond to the complaint be extended to October 3, 2007. The original answer date was August 8, 2007. This is the second such request defendant has made. Your Honor granted defendant's previous request to adjourn the date until today, September 5, 2007. I have spoken with plaintiffs' counsel, Gary S. Mayerson, and he has consented to this proposed extension. I respectfully ask that the Court excuse the lateness of this request, but Mr. Mayerson was not able to contact me regarding this request until yesterday. Further, plaintiffs will not be prejudiced by an extension.

The parties are engaged in settlement discussions and have reached an agreement in principle. An extension of time to answer or move with respect to the complaint should provide the parties sufficient time to finalize an agreement and resolve this matter without further intervention from the Court. Accordingly, I respectfully request an enlargement of defendant's time to answer or move until October 3, 2007.

Thank you for your consideration of this request.

Respectfully submitted,


Andrew J. Rauchberg (AR 2179)
Assistant Corporation Counsel

cc: Gary S. Mayerson, Esq.
Gary S. Mayerson and Associates
Attorney for Plaintiff
330 West 38th Street, Suite 600
New York, New York 10018
(via fax)

Application Granted.

SO ORDERED
Dated:


BARBARA S. JONES
U.S.D.J.

9/6/07